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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ALLEN DAVIS and CAROL DAVIS, }
Plaintiffs, }
v. }
UNITED STATES OF AMERICA, }
Defendant. }
Case No. 11-cv-4316-EDL
} STIPULATION TO (1) EXTEND TIME
} TO ANSWER OR OTHERWISE PLEAD,
} AND (2) CONTINUE THE CASE
} MANAGEMENT CONFERENCE; AND
} ~~PROPOSED~~ ORDER

The parties stipulate as follows:

1. Plaintiffs Allen and Carol Davis filed this case on August 31, 2011, which seeks a refund of federal taxes for specified years.

2. Plaintiffs served the defendant, the United States, on September 2, 2011, and an answer or responsive pleading is due on or before November 1, 2011.

3. Counsel for the United States has requested, but has not yet received the Internal Revenue Service administrative file, a letter referring this case for defense, and other documents necessary to file a pleading in this matter. Those documents should be sent so that a responsive pleading can be filed no later than December 2, 2011. Based on

***Stipulation to Extend Time to Answer
Case No. 11-4316-EDL***

1 these representations, the parties agree that defendant shall have until December 2, 2011,
2 to file an answer or pleading in response to plaintiffs' complaint.

3 4. The parties further stipulate to continue the Case Management Conference
4 from December 13, 2011, to January 31, 2012, at 10:00 a.m.

5 Respectfully submitted,

6 MELINDA HAAG
7 United States Attorney

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9 Dated: October 31, 2011

/s/Thomas M. Newman
10 THOMAS M. NEWMAN
11 Assistant United States Attorney
12 Tax Division

13 Dated: October 31, 2011

14 */s/*
15 KENNETH G. HAUSMAN (No. 57252)
16 HOWARD RICE NEMEROVSKI CANADY
17 FALK & RABKIN
18 A Professional Corporation
19 Three Embarcadero Center, 7th Floor
20 San Francisco, California 94111-4024

21 **ORDER**

22 Pursuant to the parties' stipulation, IT IS SO ORDERED.

23 Dated: November 2, 2011

24 
25 ELIZABETH D. LAPORTE
26 United States Magistrate Judge